

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars and leaflets which accompanied the article were false and misleading since they represented and suggested that milk cultured with the article would enable the consumer to enjoy better than average health, to retain beauty for a long time, and to keep the spirit of youth for many years; that it would greatly aid health and vitality, prolong life, prevent dysfunction of the vital organs, particularly the gastro-intestinal tract, prevent premature old age, and fight unfriendly microbes; and that it constituted an adequate treatment for chronic constipation, colitis, ulcers, and allied intestinal conditions. The article would not be effective for such purposes.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: March 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2094. Misbranding of Yogourt Culture. U. S. v. 21 Bottles of Yogourt Culture, and a number of window streamers and leaflets. Default decree of condemnation and destruction. (F. D. C. No. 19021. Sample No. 14614-H.)

LABEL FILED: February 8, 1946, Eastern District of Michigan.

ALLEGED SHIPMENT: By the Gaymont Laboratories, from Chicago, Ill. The product was shipped on or about January 5, 1946, and the window streamers were enclosed in the shipping cartons. The leaflets were delivered to the consignee by a representative of the shipper on or about March 1, 1945.

PRODUCT: 21 bottles of *Yogourt Culture* and a number of window streamers entitled "The Original Dr. Gaymont's Yogourt Culture Now Prepare Yogourt—The Amazing Milk Health-Food at Home" and a number of leaflets entitled "Science Says . . . Live Longer," at Detroit, Mich. Examination of a sample of the product showed that it had the composition indicated on the label.

LABEL, IN PART: "The Original Dr. Gaymont's Yogourt Culture."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements appearing on the window streamers and in the leaflets which accompanied the article were false and misleading since they represented and suggested that *Yogourt* prepared with the article would be effective to enable the user to live longer, to enjoy youth for extra years, to maintain the health of those who are healthy and restore health to those who are unhealthy, and to remedy intestinal disorders. The article would not be effective for such purposes.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: March 13, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2095. Misbranding of Miracle Bath, Miracle Milk Bath, Miracle Aid Lotion, and Miracle Cream. U. S. v. 41 Packages of Miracle Bath, 23 Bottles of Miracle Aid Lotion, and 33 Jars of Miracle Cream, and a quantity of accompanying printed matter (and 7 other seizure actions against other lots of the same products and printed matter). Default decrees of condemnation and destruction. (F. D. C. Nos. 18970, 18975, 18983 to 18985, incl., 19006, 19215, 19216. Sample Nos. 4907-H to 4911-H, incl., 12837-H to 12839-H, incl., 13795-H, 13796-H, 15922-H to 15935-H, incl., 52425-H, 52426-H, 52429-H, 52558-H to 52560-H, incl.)

LABELS FILED: Between January 14 and February 25, 1946, Northern and Southern Districts of Ohio, Southern District of Indiana, and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: Between July 9, 1945, and January 1946, by Miracle Laboratories, from Chicago, Ill.

PRODUCT: 351 packages of *Miracle Bath*, 126 packages of *Miracle Milk Bath*, 115 bottles of *Miracle Aid Lotion*, and 260 Jars of *Miracle Cream* at Columbus, Cincinnati, Cleveland, and Toledo, Ohio; Terre Haute and Indianapolis, Ind.; and Philadelphia, Pa. Quantities of printed matter accompanied the products at Columbus and Cleveland, Ohio, and a portion of the products at Indianapolis, Ind. The printed matter consisted of circulars entitled "At Last * * * A Simple and Sensible Plan to Control Your Figure," leaflets entitled "The Miracle Plan" and "Wrinkles and Double Chin Vanish," and display cards entitled "Miracle Aid Lotion," "Miracle Bath," "Miracle Milk Bath," and "Miracle Cream."